COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

FLOWER POT AND/OR HOLDER THEREFOR HAVING AN INTEGRAL DRAIN APPARATUS

SPECIFICATION IDENTIFICATION

The specification is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Gregory W. Carr; Reg. No. 31,093 Theodore F. Shiells, Reg. No. 31,569 Alan A.R. Cooper; Reg. No. 51,217

of the law firm of CARR LLP and

Attorney Docket No. BRUT 2795000

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

Gregory W. Carr CARR LLP 670 Founders Square 900 Jackson Street Dallas, TX 75202 Gregory W. Carr (214) 760-3000

Country of Citizenship: U.S.A.

Customer Number 021909

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Harry R. Brutsché III

Inventor's signature

Date 10-17-03

Residence

Post Office Address

Dallas, Texas

6 Laureston Place

Dallas, Texas 75225

Attorney Docket No. BRUT 2795000

Edwin S. Smith

Inventor's signature

Date 10-20-03

Edwir Sott Sut

Country of Citizenship: U.S.A.

Country of Citizenship: U.S.A.

Residence

Austin, Texas

Post Office Address

5803 John Blocker Court Austin, Texas 78789

Matthew A. Brutsché

Inventor's signature

Date 10-17-03

Austin, Texas

Post Office Address

Residence

4600 Seton Center Parkway, Apt. 904

Austin, Texas 78759

,,,,,,